

02/05/01

35803 U.S. PTO

09/775016

| UTILITY<br>PATENT APPLICATION<br>TRANSMITTAL   |  | Attorney Docket No.  | 400684  |
|--|--|--|---|
| (Only for new nonprovisional applications under 37 CFR 1.53(b))  |  | First Inventor   | Kaname ISHIBASHI  |
|  |  | Title  | Method For Selectively Separating<br>Live Cells Expressing A Specific<br>Gene |
|  |  | Express Mail Label No.   |   |
| <b>APPLICATION ELEMENTS</b>  |  | <b>ADDRESS TO:</b> Assistant Commissioner for Patents<br>Box Patent Application<br>Washington, DC 20231  |   |
| <ol style="list-style-type: none"><li>1. <input checked="" type="checkbox"/> Utility Patent Application Transmittal Form</li><li>2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</li><li>3. <input checked="" type="checkbox"/> Specification (including claims and abstract) [Total Pages 137]</li><li>4. <input checked="" type="checkbox"/> Drawings [Total Sheets 135]</li><li>5. <input checked="" type="checkbox"/> Combined Declaration and Power of Attorney [Total Pages 3]<ol style="list-style-type: none"><li>a. <input checked="" type="checkbox"/> Newly executed</li><li>b. <input type="checkbox"/> Copy from prior application [Note Box 6 below]<ol style="list-style-type: none"><li>i. <input type="checkbox"/> Deletion of Inventor(s) Signed statement attached deleting inventor(s) named in the prior application</li></ol></li></ol></li><li>6. <input type="checkbox"/> Incorporation by Reference: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b is considered as part of the disclosure of the accompanying application and is hereby incorporated by reference.</li><li>7. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</li><li>8. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)</li><li>9. Nucleotide and/or Amino Acid Sequence Submission<ol style="list-style-type: none"><li>a. <input checked="" type="checkbox"/> Computer Readable Form (CRF)</li><li>b. Specification Sequence Listing on:<ol style="list-style-type: none"><li>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or</li><li>ii. <input checked="" type="checkbox"/> Paper Copy</li></ol></li><li>c. <input checked="" type="checkbox"/> Statement verifying identity of above copies</li></ol></li><li>10. <input type="checkbox"/> Applicant requests early publication. (include publication fee under 37 CFR 1.18(d))</li></ol> |  | <b>ACCOMPANYING APPLICATION PARTS</b> <ol style="list-style-type: none"><li>11. <input checked="" type="checkbox"/> Assignment Papers (cover sheet and document(s))</li><li>12. <input type="checkbox"/> 37 CFR 3.73(b) Statement (when there is an Assignee)</li><li>13. <input checked="" type="checkbox"/> Associate Power of Attorney</li><li>14. <input type="checkbox"/> English Translation Document (if applicable)</li><li>15. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)<br/><input checked="" type="checkbox"/> Form PTO-1449<br/><input checked="" type="checkbox"/> Copy of Listed Document</li><li>16. <input checked="" type="checkbox"/> Preliminary Amendment &amp; Specification as Preliminarily Amended</li><li>17. <input checked="" type="checkbox"/> Return Receipt Postcard (Should be specifically itemized)</li><li>18. <input checked="" type="checkbox"/> Certified Copies of Priority Documents(2)</li><li>19. <input type="checkbox"/> Request &amp; Certification Under 35 USC 122(b)(2)(B)(i) (Form PTO/SB/35 or its equivalent attached)</li><li>20. <input checked="" type="checkbox"/> Petition To Accept Photographs As Drawing Under 37 CFR 1.84(b) &amp; Fee</li></ol> |   |
| 21. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information in (a) and (b) below:  |  |  |   |
| (a) <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part of prior application no. _____<br>Prior application information: Examiner _____ ; Group Art Unit: _____  |  |  |   |
| (b) Preliminary Amendment: Benefit of earlier filing date - 35 USC 120. The Commissioner is requested to amend the specification by inserting the following sentence before the first line:<br>"This is a <input type="checkbox"/> continuation <input type="checkbox"/> divisional <input type="checkbox"/> continuation-in-part (CIP) of<br><input type="checkbox"/> Application No. _____, filed on _____, which is incorporated by reference."<br><input type="checkbox"/> International Application No. _____, filed on _____, which designates the U.S., and<br>which is incorporated by reference."   |  |  |   |

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## UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No. 400684

| APPLICATION FEES   |              |              |            |          |
|--|--------------|--------------|------------|----------|
| BASIC FEE  |              |              |            | \$710.00 |
| CLAIMS   | NUMBER FILED | NUMBER EXTRA | RATE       |          |
| Total Claims   | 9 -20=       | 0            | x \$18.00  | \$0.00   |
| Independent Claims   | 1 -3=        | 0            | x \$80.00  | \$0.00   |
| <input type="checkbox"/> Multiple Dependent Claim if applicable  |              |              | + \$270.00 | \$       |
| Total of above calculations =                                    |              |              |            | \$710.00 |
| Reduction by 50% for filing by small entity =                    |              |              |            | \$( )    |
| <input checked="" type="checkbox"/> Assignment fee if applicable |              |              | + \$40.00  | \$40.00  |
| <input type="checkbox"/> Early publication fee if applicable     |              |              | + \$300.00 | \$       |
| TOTAL =  |              |              |            | \$750.00 |

22. ☐ Please charge my Deposit Account No. 12-1216 in the amount of \$ .
23. ☒ A check in the amount of \$880.00 is enclosed.
24. The Commissioner is hereby authorized to credit overpayments or charge any additional fees of the following types to Deposit Account No. 12-1216:
- ☒ Fees required under 37 CFR 1.16.
  - ☐ Fees required under 37 CFR 1.17.
25. ☐ The Commissioner is hereby generally authorized under 37 CFR 1.136(a)(3) to treat any future reply in this or any related application filed pursuant to 37 CFR 1.53 requiring an extension of time as incorporating a request therefor, and the Commissioner is hereby specifically authorized to charge Deposit Account No. 12-1216 for any fee that may be due in connection with such a request for an extension of time.

## 26. CORRESPONDENCE ADDRESS

|   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> Customer Number: 23548<br><br><b>23548</b><br><small>PATENT TRANSMITTAL OFFICE</small> |  | <input checked="" type="checkbox"/> Xavier Pillai, Reg. No. 39,799<br>Leydig, Voit & Mayer, Ltd.<br>700 Thirteenth Street, N.W., Suite 300<br>Washington, D.C. 20005-3960<br>(202) 737-6770 (telephone)<br>(202) 737-6776 (facsimile) |
| Name  | Xavier Pillai, Registration No. 39,799 |   |
| Signature   | <i>Xavier Pillai</i>                   |   |
| Date  | <i>February 05, '01</i>                |   |

ApTml (Rev. 11/13/2000)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

ISHIBASHI et al.

Application No.: Unassigned

Art Unit: Unassigned

Filed: February 5, 2001

Examiner: Unassigned

For: METHOD FOR SELECTIVELY  
SEPARATING LIVE CELLS  
EXPRESSING A SPECIFIC  
GENE

**ASSOCIATE POWER OF ATTORNEY**

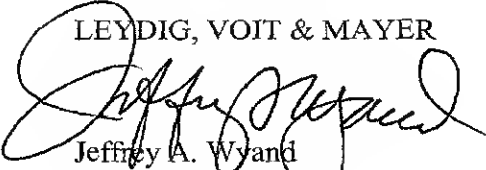
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

I, Jeffrey A. Wyand, attorney of record in the referenced patent application, grant  
an Associate Power of Attorney to XAVIER PILLAI, Registration Number 39,799.

Respectfully submitted,

LEYDIG, VOIT & MAYER



Jeffrey A. Wyand  
Registration No. 29,458

Suite 300  
700 Thirteenth Street, N.W.  
Washington, D.C. 20005  
Telephone: (202) 737-6770  
Facsimile: (202) 737-6776  
Date: February 5, 2001  
JAW:kdd

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

ISHIBASHI et al.

Art Unit: Unassigned

Application No.: Unassigned

Examiner: Unassigned

Filed: February 5, 2001

For: METHOD FOR SELECTIVELY  
SEPARATING LIVE CELLS  
EXPRESSING A SPECIFIC  
GENE

SUBMISSION OF SEQUENCE LISTING

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In accordance with the requirements of 37 CFR 1.821-1.825, a sequence listing is being submitted as part of the patent application. The sequence listing is in the form of both a paper copy and a computer readable copy on a computer diskette. The undersigned hereby verifies that the content of the paper copy and the computer readable copy, as concurrently being submitted, are the same.

Respectfully submitted,

LEYDIG, VOIT & MAYER, LTD.



Xavier Pillai, Ph.D.  
Registration No. 39,799

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Date: Feb 5, '01  
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